

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Jason Frederick Klubben,

Case No. 18-cv-2962-PJS-KMM

Plaintiff,

v.

ORDER

Jessica Lynn Smalling,

Defendant.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Kate Menendez, dated November 19, 2018. No objections have been filed to that Report and Recommendation in the time period permitted. Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED that:**

1. This action is DISMISSED without prejudice for lack of jurisdiction.
2. Mr. Klubben's request to proceed in this action pro se (ECF No. 2) is DENIED as moot.

**Let Judgment Be Entered Accordingly.**

Date: 12/21/18

s/Patrick J. Schiltz  
Patrick J. Schiltz  
United States District Court Judge